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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

## Under the Parenwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. 09/776,394 Application Number **TRANSMITTAL** February 2, 2001 Filing Date **FORM First Named Inventor** Bryan et al. (to be used for all correspondence after initial filing) 3738 **Group Art Unit** SEP 0.3 **Examiner Name** Stewart TECHNOLOGY CENTER R3700 Total Number of Pages in This Submission Attorney Docket Number 46739/252388 ENCLOSURES (check all that apply) After Allowance Communication to Assignment Papers Fee Transmittal Form (for an Application) Group Appeal Communication to Board of Fee Attached ☐ Drawing(s) Appeals and Interferences Appeal Communication to Group Amendment / Response Licensing-related Papers (Appeal Notice, Brief, Reply Brief) Petition Proprietary Information After Final Petition to Convert to a Status Letter Affidavits/declaration(s) **Provisional Application** Power of Attorney, Revocation Other Enclosure(s) Extension of Time Request Change of Correspondence Address (please identify below):

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Bruce D. Gray, Reg. No. 35,799 Individual name Signature August 23, 2002 Date

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Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53

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The "Received" stamp of the Patent Office imprinted hereon will acknowledge receipt of:

 Applicants:
 Bryan, et al.

 Application No.
 09/776,394
 Patent No. 5,865,846
 Docket No.

 Filing Date
 February 2, 2001
 46739/252388

PAPERS SUBMITTED:

1. Amendment and Response to Office Action dated June 27, 2002

2. Transmittal Form

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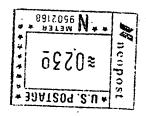
<u>SEP</u> 0 3 2002

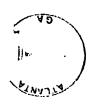
TECHNOLOGY CENTER R3700

By: Bruce D. Gray, Reg. No. 35,799
Date: August 23, 2002



Bruce D. Gray, Esq. Kilpatrick Stockton LLP 1100 Peachtree Street Suite 2800 Atlanta, Georgia 30309







## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

5,865,846

Bryan et al.

PATENT NO.

**SERIAL NO.:** 

09/776,394

**GROUP ART UNIT:** 

3738

SEP 03 2002

**TECHNOLOGY CENTER R3700** 

FILED:

February 2, 2001

**EXAMINER:** 

Stewart

FOR:

**HUMAN SPINAL DISC PROSTHESIS** 

ATTORNEY DOCKET NO.: 46739/252388

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**DATE:** August 23, 2002

## **RESPONSE TO OFFICE ACTION**

Sir:

Responsive to the Office action dated June 27, 2002, Applicants respectfully submit the following remarks in connection with the above-identified application.